

# EXHIBIT 3

## Vicky Romanenko

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**From:** Vicky Romanenko  
**Sent:** Friday, February 17, 2017 12:26 PM  
**To:** 'Esshaki, Gene J.'  
**Cc:** 'Jackie Taylor'; 'Emily Luthy'; 'Millicent Lundburg'; 'rlinkin@dwmrlaw.com'; 'Ian A. Kanig'; 'Hemlock, Adam'; 'Ronnie Spiegel'; 'Demetrius Lambrinos'; 'Steve Williams'; 'AEllis@stblaw.com'; 'Patrick.Carome@wilmerhale.com'; 'Steven Cherry'; 'klein@butzel.com'; 'Asmedley@winston.com'; 'Novison, Heather'; 'Trey Nicoud'; 'JAmato@winston.com'; 'WShotzbarger@duanemorris.com'; 'heather.choi@bakerbotts.com'; 'Sloane Kuney Rosenthal'; Evelyn Li; 'Jill S. Casselman'; 'Bonk, Cameron'; 'Bradley Love'; 'Elliot.Weingarten@stblaw.com'; 'Justina K. Sessions'; 'Trager, Lara'; Ciolino Dawn L.; 'Daniel Purcell'; Raiter, Shawn; Burks, Laurie  
**Subject:** RE: Honda Objection

Dear Special Master Esshaki,

We had an exchange on Monday regarding the third-party Honda dealers' objections, but we have not heard from End-Payers and Defendants since then. On Tuesday, End-Payers and Defendants filed a statement with the Court indicating that they would file their responses to the third-party dealers' letters with the Court.

We do not agree that these objections are before the Court. Your Honor has not yet issued a ruling on them. These dealers' objections are before Your Honor for the first time and are thus not yet ready for an appeal to the Judge. The Court's function, under the Order Appointing a Master, is to review Your Honor's orders. But for an order to be ripe for review, it must first be entered by Your Honor. The provision in the Order Appointing a Master contemplates review by the Court solely as an appellate function, meaning that the Court does not opine on a discovery issue until Your Honor has done so. Given that Your Honor has not stated your views on these third-party dealers' letters, the Court cannot make a determination regarding Your Honor's decision about them under Fed. R. Civ. P. 53(f), and, in turn, the Order Appointing a Master.

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**From:** Esshaki, Gene J. [mailto:gjesshaki@abbottnicholson.com]  
**Sent:** Monday, February 13, 2017 1:28 PM  
**To:** Vicky Romanenko  
**Cc:** 'Jackie Taylor'; 'Emily Luthy'; 'Millicent Lundburg'; 'rlinkin@dwmrlaw.com'; 'Ian A. Kanig'; 'Hemlock, Adam'; 'Ronnie Spiegel'; 'Demetrius Lambrinos'; 'Steve Williams'; 'AEllis@stblaw.com'; 'Patrick.Carome@wilmerhale.com'; 'Steven Cherry'; 'klein@butzel.com'; 'Asmedley@winston.com'; 'Novison, Heather'; 'Trey Nicoud'; 'JAmato@winston.com'; 'WShotzbarger@duanemorris.com'; 'heather.choi@bakerbotts.com'; 'Sloane Kuney Rosenthal'; Evelyn Li; 'Jill S. Casselman'; 'Bonk, Cameron'; 'Bradley Love'; 'Elliot.Weingarten@stblaw.com'; 'Justina K. Sessions'; 'Trager, Lara'; Ciolino Dawn L.; 'Daniel Purcell'; Raiter, Shawn; Burks, Laurie  
**Subject:** RE: Honda Objection

Can the parties work out a stipulated order to address the concerns of these third party dealers as suggested by Ms. Romanenko?

Gene J. Esshaki



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We are not authorized to enter into any binding agreement on behalf of any of our clients. If this communication contains any settlement proposal, it is for discussion purposes only and does not constitute an offer on behalf of us or any of our clients, and cannot create a contract or legally binding agreement. Any settlement of any matter requires the signature of an authorized representative of our client (other than Abbott Nicholson, P.C.) on final definitive documents which have been approved in accordance with our client's procedures.

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**From:** Vicky Romanenko [<mailto:Vicky@cuneolaw.com>]

**Sent:** Monday, February 13, 2017 12:33 PM

**To:** Esshaki, Gene J.

**Cc:** 'Jackie Taylor'; 'Emily Luthy'; 'Millicent Lundburg'; 'rlinkin@dwmrlaw.com'; 'Ian A. Kanig'; 'Hemlock, Adam'; 'Ronnie Spiegel'; 'Demetrius Lambrinos'; 'Steve Williams'; 'AEllis@stblaw.com'; 'Patrick.Carome@wilmerhale.com'; 'Steven Cherry'; 'klein@butzel.com'; 'Asmedley@winston.com'; 'Novison, Heather'; 'Trey Nicoud'; 'JAmato@winston.com'; 'WShotzbarger@duanemorris.com'; 'heather.choi@bakerbotts.com'; 'Sloane Kuney Rosenthal'; Evelyn Li; 'Jill S. Casselman'; 'Bonk, Cameron'; 'Bradley Love'; 'Elliot.Weingarten@stblaw.com'; 'Justina K. Sessions'; 'Trager, Lara'; Ciolino Dawn L.; 'Daniel Purcell'; Raiter, Shawn; Burks, Laurie

**Subject:** RE: Honda Objection

Dear Special Master Esshaki,

Re-attached to this email are the automobile dealership objections from third-party dealerships, to the production by Honda of Honda dealers' DMS data. We believe that these dealerships' concerns should be taken into account.

We believe that these dealers' data, if produced, should be ordered to be treated as Highly Confidential under the protective order, filed under seal, not provided to anyone outside the litigation, not used outside the litigation, and not shown to any other dealerships.

**From:** Burks, Laurie [<mailto:lburks@larsonking.com>]

**Sent:** Monday, January 30, 2017 1:11 PM

**To:** 'gjesshaki@abbottnicholson.com'

**Cc:** 'Jackie Taylor'; 'Emily Luthy'; 'Millicent Lundburg'; 'rlinkin@dwmrlaw.com'; 'Ian A. Kanig'; 'Hemlock, Adam'; 'Ronnie Spiegel'; 'Demetrius Lambrinos'; 'Steve Williams'; 'AEllis@stblaw.com'; 'Patrick.Carome@wilmerhale.com'; 'Steven Cherry'; 'klein@butzel.com'; 'Asmedley@winston.com'; 'Novison, Heather'; 'Trey Nicoud'; 'JAmato@winston.com'; 'WShotzbarger@duanemorris.com'; 'heather.choi@bakerbotts.com'; 'Sloane Kuney Rosenthal'; Evelyn Li; Vicky Romanenko; 'Jill S. Casselman'; 'Bonk, Cameron'; 'Bradley Love'; 'Elliot.Weingarten@stblaw.com'; 'Justina K. Sessions'; 'Trager, Lara'; 'Ciolino Dawn L.'; 'Daniel Purcell'; Raiter, Shawn

**Subject:** Honda Objection

Dear Special Master Esshaki:

Enclosed you will find communication we received from the Waikem Honda dealer. We will file this via ECF in the MDL master file.

Best regards,

Shawn

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**SHAWN M. RAITER**

vCard

Bio

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